

**SHARI RUSK: 170313**

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**Attorney for Defendant  
BARBARA WHITE**

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

<b>UNITED STATES OF AMERICA,</b>	)	<b>No. 99-cr-00255/92-cr-261 MCE</b>
	)	
<b>Plaintiff,</b>	)	<b>REQUEST TO PROCEED WITH STATUS</b>
	)	<b>CONFERENCE; WAIVER</b>
<b>v.</b>	)	<b>Court: Hon. Morrison C. England</b>
	)	<b>Date: AUGUST 27, 2020</b>
	)	<b>Time: 10:00 a.m.</b>
<b>BARBARA WHITE,</b>	)	
	)	
<b>Defendant.</b>	)	
	)	

Pursuant to the Coronavirus Aid, Relief, and Economic Security (CARES) Act, H.R. 748 (March 27, 2020) and the Court's General Order 614 of March 30, 2020, defendant Barbara White hereby requests the Court to waive her physical appearance and permit her to appear by videoconference or telephonically for the status conference set for August 27, 2020. In General Order 614, the Court found that such hearings generally cannot be conducted in person in this district without seriously jeopardizing public health and safety. The Court authorized the use of videoconferencing if "for specific reasons, . . . that case cannot be further delayed without serious harm to the interests of justice." An admit/deny hearing in Ms. White's case cannot be further delayed without serious harm to the interests of justice. Ms. White has told counsel that she consents to disposition hearing via the videoconference/teleconference procedure

1 set forth in the CARES Act and adopted by the Court in General Order 614, and that  
2 she further consents to having her appearance waived. That consent need not be in  
3 writing. (Gen. Order 614, p. 2.)  
4

5 To the extent that Ms. White has a right to have the Judge be personally present  
6 in Court at the time of hearing, she waives that right, whether it arises under the  
7 Federal Rules of Criminal Procedure, the United States Code, the U.S. Constitution, or  
8 any other law. She further waives any claim of error, on any basis, that these hearings  
9 should not have been held without the Judge or parties being physically present in  
10 Court.

11 It is her personal and specific request to be appear as soon as the Court is able.  
12 She makes this request mindful of the fact that the Judge, although observing the  
13 proceedings via video or telephone, may be less able to personally observe her physical  
14 demeanor.

15 I hereby concur in my client's request and waiver. Respectfully Submitted,


16 Dated: August 23, 2020

17 SHARI RUSK  
18 /s/ SHARI RUSK  
19 Attorney for Defendant

20 Barbara White  
21 /s/ Barbara White

22  
23 IT IS SO ORDERED.

24 Dated: August 26, 2020

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27 MORRISON C. ENGLAND, JR.  
28 SENIOR UNITED STATES DISTRICT JUDGE

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